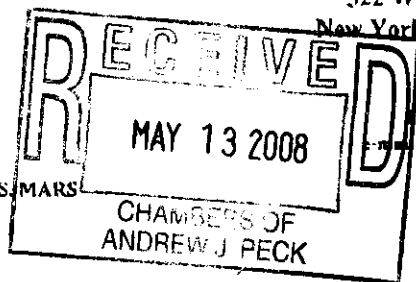


## LAW OFFICE OF HARVEY S. MARS

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DATE FILED: 5/13/08

COUNSEL

ERIC J. LARUFFA  
RICHARD P. HEDEMAN\*

\*Admitted in NY only

May 13, 2008

Via Facsimile [212-805-7933] & First Class Mail

United States Magistrate Judge  
Andrew J. Peck  
United States District Court, SDNY  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, New York 10007-1312

Re: Ponce v. Amish Manhattan  
Farmer's Market, Inc.  
07 Civ 11634 (GEL) (AJP)

Dear Magistrate Judge Peck:

This office is counsel to the Amish Manhattan Farmer's Market, Inc. ("AMTA"),  
defendant in the above-referenced litigation.

Please be advised that I am only able to attend the settlement conference  
scheduled for May 19, 2008 from 3:00 P.M. until 5:00 P.M., due to an important client function  
that I am required to attend that evening. Due to this circumstance, I am also prepared to meet on  
May 22, 2008 to further discuss settlement disclosures.

Respectfully submitted,

**MEMO ENDORSED**

*5/13/08*  
*Harvey S. Mars*  
*4/23/08 5/19. If anyone is here at 2:30 we can start early if 2:45 am*  
*is only by the court should also have signed the Ponce of*  
*the court should also have signed the Ponce of*

SO ORDERED:

*[Signature]*  
Hon. Andrew Jay Peck  
United States Magistrate Judge

cc: Robert L. Kraselnik, Esq./ via Facsimile [212-400-7162] Transmission

**BY FAX**

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933  
Telephone No.: (212) 805-0036

**Dated:** May 13, 2008

**Total Number of Pages:** 2

TO	FAX NUMBER
Harvey S. Mars, Esq.	212-765-2775
Robert L. Kraselnik, Esq.	212-400-7162

## **TRANSCRIPTION:**

**MEMO ENDORSED 5/13/08**

**Conf. remains 5/19. If everyone is here at 2:30 PM, we can start early if my 2 PM conf. is over by then. Counsel should also talk before then to see if they can narrow the gap in their positions.**

**Copy to: Judge Gerard E. Lynch**